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DATE: 17th June, 1987.

FACSIMILE TRANSMISSION

TO: FISH &amp; NEAVE

NO.: 0011-1-212-715-0674

ATTENTION: MR. W. EDWARD BAILEY

FROM: COLIN MACAULEY

RE:

TOTAL NUMBER OF PAGES TRANSMITTED (including this page): 1

RE: PHILIP MORRIS INCORPORATED Opposition to  
BROWN AND WILLIAMSON TOBACCO CORPORATION  
Australian Patent Application No. 517072.

Dear Sirs,

The Hearing Officer has now issued both decisions, namely the matter of the Section 59 opposition and the Section 82 opposition to the amendment.

Copies of these decisions are being mailed to you. We succeeded in both oppositions and costs were awarded in both cases against Brown and Williamson Tobacco Corporation (B & W).

The Hearing Officer has allowed B & W 60 days in which to amend their patent specification. He states that he believes there is patentable subject matter in the specification. Reviewing the decision we believe suitable amendments would be:-

1. Defining that the grooves are in the filter rod and that the wrapper conforms to the outer surface of the rod.
2. Excluding the possibility that the "flow-through openings" are the result of permeability of the tipping paper.

A full report will follow in due course.

Yours faithfully,  
CALLINAN AND ASSOCIATES.

*Colin Macauley*

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